

Case: 4:20-cv-00064-JM-JTK

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
FEB 11 2020
JAMES W. MCCORMACK
By: *[Signature]* CLERK
DEP. CLERK

WILLIE J STARR ADC#109194
VARNER SUPERMAX
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GRADY AR 71644-0400

*Ruiz V Estella 503 F.Supp 1265
(Sp Tex 1980)*

I object to a dismissal of the members of Classification Committee members because in my Complaint I made it clear all the factual matters and the claim upon which relief can be granted. The facts is that the Classification Committee members violated my rights by ~~they~~ violated the Americans with Disabilities Act, (ADA). I am of a mind to "except" a dismissal of Defendants (^{warden} James Gibson) and Nurse (Amy Jones Lpn). But the others are all member of Classification Committee and I wrote them a number of request for interview and sent them to (Ms. F. Washington) (Major ⁽²⁾ B. Carroll) To Warden (James ⁽³⁾ Shipman) and (Captain ⁽⁴⁾ S. Taylor). These four officers I talked to in Classification, I sent them all request for interview's explaining my problem with Cell #20. I couldn't walk or stand up on my own, therefore I could not take a shower, I had to slide on my butt using my hands to drag my useless legs. I could not get upon the toilet and so I shit and pissed myself on more than two occasion, I explained all this to the Classification Committee and asked to be moved to a handicapped cell. I was taken to Classification in a restraint chair because I couldn't walk, they knew my problem and they still sent me back to a cell that was not handicapped accessibility (See) Grievance # (usm) 19-01605 Exhibit - H. (See) Exhibit I Grievance to Major's "No One Would" (Miller V. Long 389 F.3d 1248 11th Cir 2004) (1) of (3) (Simmons V. Cook 154 F.3d 805 (8th Cir 1998))

Weeks V. Oryboudy 984 F.2d 185 (6th Cir 1993)

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Take it to Step two, They Made me promises that they would get me some help, but no one did. (See) Exhibit - L, Grievance to all Head figures concerning my Health and Safety. Notice its to Warden's, Classification Committee, Major's, Captains, these are all people who ran the

Classification Committee. Each time I was Carried to Classification, I begged Ms. F. Washington to Move me to a handicapped Cell because of my disabilities. She always promised that she would, but didn't do it. On 07/19/2019 I took a fall trying to get up for Diabetic Shot Call; I knocked my left hip out of place trying to get down from the toilet. Still they would not move me, I told them I needed a Shower Chair, they never gave me one. Went to Classification again on 08/06/2019, Asked for a handicapped Cell, Ms. Washington/Warden Shipman/Major Carroll/and Capt Taylor was all there and I told them about my falls and how I had hurt my hip and both my knees. They promised to move me, and didn't do it! Sick Call got me no where, no help from anyone. Then they Moved me to Cell-1-03 and it was not handicapped Accessible, plus I had a bad leak running water into my bed so I was forced to sleep on the floor. To day is 01/30/2020 and my wheel still leaks water into my bed space, I have to take my Bath towel and get the water up every time the Inmate up above me Shower's! by the time the Maintenance Men got to my Cell to put in Safety Bars, I was all busted up and (now) I can hardly slide out of bed onto my Stack of Books, and into the Wheel Chair. Still I have not had a Shower since 05/24/2019 But no one cares; on the 16th of October, 2019 I was suppose to go to Classification But because I could not walk, I was left in my Cell - They refused me my

(2) of (3)

60-day review because they didn't want to hear any more of my Complaints. To this day, 01/30/2020 I am still cleaning water off my table and on the block I sleep on. (See) Grievance #VSM-19-01785 Also See Grievance #VSM-19-02070, Classification Committee Continued to Discriminate against my Disability. But Act 98 of 2011 12-09 Stated the Facilities shall Comply with the Handicapped Accessibility Standards by Arkansas Building Authority. The ~~Whole~~ Classification Committee knew about me sliding around in these cells and they did nothing to help me get off the floor. And when I complained about the cold air in my cell @ the leaking water running down my walls, Captain S. Taylor laughed at me and walked out of Classification room. Also (See) Exhibit - S, grievance #VSM 19-02283 about the Cell not being Handicapped Accessible! Cell Not Handicapped Accessible. Also (See) Exhibit X grievance about my (Housing Conditions) #VSM 19-02917 and still to this very day I have to clean up water leak that runs down my wall on to my bed and table. When I tell any one from Classification they just walk away and say we will handle it...

I declare under penalty of perjury (18 U.S.C. § 1621) that the foregoing is true and correct to the best of my knowledge, understanding and belief.

Executed on this 30th day of January, 2020.

~~Signature of Plaintiff~~

Willie Starr

Willie L. Starr #109194
Signature of plaintiff(s)

Cummings V. Roberts 628
F2d 1065 (8th Cir 1980)

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